

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

IN THE MATTER OF:	)	No. B-10-81248 C-13D
Phillip L. Williams, Sr.	)	
Allyson E. Williams	)	
	)	
Debtor(s)	)	

**ORDER GRANTING MOTION TO AUTHORIZE DEBTORS  
TO ENTER INTO A LOAN MODIFICATION NUNC PRO TUNC**

On July 21, 2011, a hearing was held on Motion by the Debtors for authorization to enter into a loan modification on an outstanding first mortgage on the property known as 504 Stonelick Dr., Durham, NC ("the real property") with BB&T, nunc pro tunc. At the hearing, Koury Hicks, Esq. appeared on behalf of the Debtors; Richard M. Hutson II, Standing Trustee appeared; and, no other party appeared or objected to the Debtors' Motion. The Court, after considering the Motion in this case and having heard and considered the statements of counsel and the Trustee, finds that the Motion should be allowed; therefore, it is ORDERED:

1. The Motion of the Debtors for authorization to enter into a loan modification nunc pro tunc is granted.

2. The loan modification from BB&T in the approximate amount of \$91,641.33 with interest at a fixed rate of 6.25% per annum, amortized for a period of 328 months in monthly installments of approximately \$806.40, and execution on any and all documents necessary to consummate the loan modification with BB&T nunc pro tunc.

3. The payments to BB&T shall continue to be paid through disbursements by the Trustee and pursuant to the approved modification, the Trustee shall disburse \$806.40 per month commencing with the next scheduled monthly disbursement following the entry of this Order.

4. Any previously allowed arrearage claim in favor of BB&T is capitalized within the new principal balance and is therefore disallowed and no further disbursements will be made on the arrearage claim.

5. John T. Orcutt, Esq. is allowed the presumptive fee of \$450.00 for services rendered in the filing of this Motion which shall be paid through the Debtors' plan.

**PARTIES TO BE SERVED**

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**ALL PARTIES OF RECORD AS OF THE DATE OF THE ORDER SHALL BE  
SERVED BY THE BANKRUPTCY NOTICING CENTER**